



[1662/604078]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : NIDDAM-HILDESHEIM et al.  
Serial No. : 10/635,337  
Filed : August 6, 2003  
For : NOVEL CRYSTALLINE FORMS OF GATIFLOXACIN  
Examiner : Johnsen, Jason H.  
Art Unit : 1624

**Mail Stop AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. box 1450, Alexandria, VA 22313-1450

on

Date: August 28, 2006

Signature: *Mark H. Tenover*

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

In response to the Notice of Non-Compliant Amendment, dated July 14, 2006, Applicants respectfully request entry of the following comments into the file of the above-identified application.

**Remarks** begin on page 2 of this paper.